

Montana State Legislature

2013 Session

ADDITIONAL DOCUMENTS MAY INCLUDE THE FOLLOWING:

- **Business Report**
- **Roll Call – Attendance**
- **Standing Committee Reports**
- **Tabled Bills**
- **Fiscal Reports etc.**
- **Roll Call Votes**
- **Informational Items**
- **Witness Statements**
- **Any Documents; such as;**
 - * **Petitions if any.**
 - * **Any and all material handed end after the meeting ends.**

**The original is on file at the
Montana Historical Society
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BUSINESS REPORT

**MONTANA HOUSE OF REPRESENTATIVES
63rd LEGISLATURE - REGULAR SESSION**

HOUSE BUSINESS AND LABOR COMMITTEE

Date: Friday, April 12, 2013

Place: Capitol

Time: 10:00 A.M.

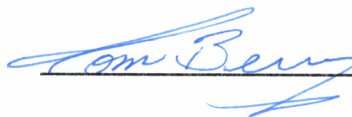
Room: 172

BILLS and RESOLUTIONS HEARD:

EXECUTIVE ACTION TAKEN:

SB 173 - Be concurred in as amended

Comments: None

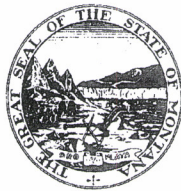


REP. Tom Berry, Chair

HOUSE OF REPRESENTATIVES
Roll Call
BUSINESS & LABOR COMMITTEE

DATE: 4/12/13

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/EXCUSED</u>
REP. TOM BERRY, CHAIR	X	
REP. DAN SALOMON, VICE CHAIR	✓	
REP. CARLIE BOLAND, VICE CHAIR	✓	
REP. CHRISTY CLARK	✓	
REP. AMANDA CURTIS	✓	
REP. STEVE FITZPATRICK	✓	
REP. EDWARD GREEF	✓	
REP. ROGER HAGAN	✓	
REP. CHUCK HUNTER	✓	
REP. MIKE LANG	✓	
REP. JONATHAN MCNIVEN		E
REP. DAVID MOORE	✓	
REP. REILLY NEIL		E
REP. PATRICIA PEPPERS	✓	
REP. GORDON PIERSON, JR	✓	
REP. SCOTT REICHNER		E
REP. CARY SMITH	✓	OTB
REP. CAROLYN SQUIRES	✓	
REP. TOM STEENBERG	✓	
REP. JEFFERY WELBORN	✓	



Ellen

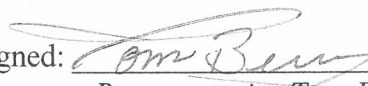
HOUSE STANDING COMMITTEE REPORT

April 12, 2013

Page 1 of 3

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **Senate Bill 173** (second house second reading copy -- tan) **be concurred in as amended.**

Signed: 
Representative ~~Tom~~ Berry, Chair

To be carried by Representative Jeffrey Welborn

And, that such amendments read:

1. Title, page 1, line 6.

Following: "LAWS;"

Insert: "REQUIRING REPORTING BY THE STATE FUND PRIOR TO
IMPLEMENTING PAY ADJUSTMENTS;"

Following: "USE"

Insert: "A ONE-TIME GENERAL FUND TRANSFER AND INCOME ON THAT
TRANSFER PRIOR TO USING"

2. Title, page 1, line 8.

Strike: "1990"

Insert: "2013"

3. Title, page 1, line 12.

Strike: "ELIMINATING"

Insert: "PROVIDING"

4. Title, page 1, line 13.

Following: the first "A"

Insert: "ONE-TIME"

5. Title, page 1, line 15.

Strike: line 15

6. Title, page 1, line 17.

Committee Vote:

Yes 18, No 2

Fiscal Note Required ☐

SB0173001SC13700.hjk

DC 4/12
12:50

Strike: "IMMEDIATE"

7. Page 3, line 2.

Following: line 1

Insert: "(3) The state fund may not approve or implement any pay adjustments, including bonuses or merit pay, to any employee or member of executive management until the state fund reports to the office of budget and program planning and to the legislative finance committee in a public hearing, which includes public comment, the following information:

(a) the financial performance and the accomplishment of the goals set in the most recent business plan adopted pursuant to 39-71-2315;

(b) the actuarial soundness of the funds for injuries and occupational diseases occurring both prior to and on or after July 1, 1990;

(c) any dividends disbursed in the current or previous fiscal year pursuant to 39-71-2323;

(d) an analysis of the proportional fairness and equity regarding pay adjustments in comparison to the compensation to other state employees, changes in the premiums paid by employers and premiums in comparison to the other workers' compensation plans, and any changes in the benefits received by injured workers;

(e) the attainment of the 2.5-to-1.0 reserve-to-equity ratio; and

(f) the impact of the bonuses on pension determination for state fund employees or executive management."

8. Page 3, line 8.

Strike: "The"

Insert: "Subject to 39-71-2352, the"

9. Page 3, line 10.

Following: "other"

Insert: "other"

Strike: "other than as specified in this section"

10. Page 3, line 12.

Strike: "and subsection (3)"

11. Page 3, line 14 through line 17.

Strike: subsection (3) in its entirety

12. Page 4, line 16.

Following: "1990."

Insert: "(b)"

13. Page 4, line 17.

Following: "1990,"

Insert: "and prior to July 1, 2013,"

14. Page 4, line 18.

Following: "1990."

Insert: "(c) Premiums paid to the state fund based upon wages payable on or after July 1, 2013, may be used to administer and pay claims for injuries resulting from accidents or occupational diseases that occur either before July 1, 1990, or after July 1, 1990, subject to depletion of the 2013 general fund transfer and income on that transfer."

Renumber: subsequent subsections

15. Page 4, line 19.

Strike: "As provided in subsection (4),"

Insert: "After expending the one-time transfer from the general fund and any income from that transfer to administer and pay claims for injuries resulting from accidents or occupational diseases that occurred before July 1, 1990,"

16. Page 4, line 20.

Strike: "1990"

Insert: "2013"

17. Page 5, line 3.

Following: "FROM"

Strike: "THE STATE" through "39-71-2323"

Insert: "the 2013 one-time general fund transfer or income on that transfer unless those amounts are inadequate, in which case the payments must be as provided in subsection (1)(c)"

18. Page 5, lines 11 through 16.

Strike: subsection (4) in its entirety

Renumber: subsequent subsection

19. Page 5, line 21 through line 26.

Strike: section 6 in its entirety

Insert: "NEW SECTION. Section 6. General fund transfer. There is a transfer from the general fund of \$43.989 million to the state compensation insurance fund account provided for in 39-71-2321(2)(a)."

20. Page 5, line 28.

Strike: "on passage and approval"

Insert: "July 1, 2013"

- END -

HOUSE OF REPRESENTATIVES

Roll Call Vote

BUSINESS & LABOR COMMITTEE

DATE: 4/12/13 BILL NO. SB 400 MOTION NO. _____

MOTION: to reconsider

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. DAN SALOMON, VICE CHAIR	X		
REP. CARLIE BOLAND, VICE CHAIR		X	
REP. CHRISTY CLARK	X		
REP. AMANDA CURTIS		X	
REP. STEVE FITZPATRICK	X		
REP. EDWARD GREEF	X		
REP. ROGER HAGAN	X		
REP. CHUCK HUNTER		X	
REP. MIKE LANG		X	
REP. JONATHAN MCNIVEN	X		X
REP. DAVID MOORE		X	
REP. REILLY NEILL		X	X
REP. PATRICIA PEPPERS		X	
REP. GORDON PIERSON, JR		X	
REP. SCOTT REICHNER		X	X
REP. CARY SMITH		X	
REP. CAROLYN SQUIRES	X		
REP. TOM STEENBERG		X	
REP. JEFFERY WELBORN		X	
REP. TOM BERRY, CHAIR	X		

8-12

HOUSE OF REPRESENTATIVES
Roll Call Vote
BUSINESS & LABOR COMMITTEE

DATE: _____ BILL NO. SB 173 MOTION NO. SB 17301.ASB
 MOTION: pay amendment, to be clarified

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. DAN SALOMON, VICE CHAIR	X		
REP. CARLIE BOLAND, VICE CHAIR	X		
REP. CHRISTY CLARK	X		
REP. AMANDA CURTIS	X		
REP. STEVE FITZPATRICK	X		
REP. EDWARD GREEF	X		
REP. ROGER HAGAN	X		
REP. CHUCK HUNTER	X		
REP. MIKE LANG	X		
REP. JONATHAN MCNIVEN	X		X
REP. DAVID MOORE	X		
REP. REILLY NEILL	X		X
REP. PATRICIA PEPPERS	X		
REP. GORDON PIERSON, JR	X		
REP. SCOTT REICHNER	X		X
REP. CARY SMITH	X		
REP. CAROLYN SQUIRES	X		
REP. TOM STEENBERG	X		
REP. JEFFERY WELBORN	X		
REP. TOM BERRY, CHAIR		X	

19-1

HOUSE OF REPRESENTATIVES

Roll Call Vote

BUSINESS & LABOR COMMITTEE

DATE: 4/12/13 SB 173 MOTION NO. SB 7304.APM
 MOTION: Mr. Hunter's amendment.

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. DAN SALOMON, VICE CHAIR	✓		
REP. CARLIE BOLAND, VICE CHAIR	✓		
REP. CHRISTY CLARK	✓		
REP. AMANDA CURTIS		✓	
REP. STEVE FITZPATRICK	✓		
REP. EDWARD GREEF	✓		
REP. ROGER HAGAN	✓		
REP. CHUCK HUNTER	✓		
REP. MIKE LANG	✓		
REP. JONATHAN MCNIVEN	✓		✓
REP. DAVID MOORE	✓		
REP. REILLY NEILL	✓		✓
REP. PATRICIA PEPPERS	✓		
REP. GORDON PIERSON, JR		✓	
REP. SCOTT REICHNER	✓		✓
REP. CARY SMITH	✓		
REP. CAROLYN SQUIRES		✓	
REP. TOM STEENBERG	✓		
REP. JEFFERY WELBORN	✓		
REP. TOM BERRY, CHAIR		✓	

16-4

HOUSE OF REPRESENTATIVES
Roll Call Vote
BUSINESS & LABOR COMMITTEE

DATE: 4/12/13 BILL NO. SB 173 MOTION NO. _____
 MOTION: _____

amended 2x

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. DAN SALOMON, VICE CHAIR	X		
REP. CARLIE BOLAND, VICE CHAIR	X		
REP. CHRISTY CLARK	X		
REP. AMANDA CURTIS	X		
REP. STEVE FITZPATRICK	X		
REP. EDWARD GREEF	X		
REP. ROGER HAGAN	X		
REP. CHUCK HUNTER	X		
REP. MIKE LANG	X		
REP. JONATHAN MCNIVEN	X		X
REP. DAVID MOORE	X		
REP. REILLY NEILL	X		X
REP. PATRICIA PEPPERS	X		
REP. GORDON PIERSON, JR	X		
REP. SCOTT REICHNER	X		X
REP. CARY SMITH	X		
REP. CAROLYN SQUIRES	X		
REP. TOM STEENBERG	X		
REP. JEFFERY WELBORN		X	
REP. TOM BERRY, CHAIR		X	

18-2

**AUTHORIZED
COMMITTEE PROXY**

I request to be excused from the Business & Labor

Committee because of other commitments. I desire to leave my proxy vote with:

Carlie Boland

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

BILL/AMENDMENT

AYE NO

[illegible][illegible]

Rep.

Reilly Mace
(Signature)

Date _____

4/12/13

AUTHORIZED COMMITTEE PROXY

I request to be excused from the House Business & Labor

Committee because of other commitments. I desire to leave my proxy vote with:

Rep Salomon

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

SB 400	X	
SB 173	X	
Admed 17304	X	
Admed 17301	X	

BILL/AMENDMENT

AYE NO

Rep.

(Signature)

Date

April 13 2013

**AUTHORIZED
COMMITTEE PROXY**

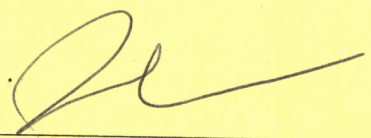
I request to be excused from the House Business & Labor

Committee because of other commitments. I desire to leave my proxy vote with:

Rep. Salomon

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
SB 400		X			
SB 173	X				
Admed 17304	X				
Admen 17301	X				

Rep. 
(Signature)
Salomon

Date April 12 2013

